

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2008-282-T - ORDER NO. 2009-166

APRIL 16, 2009

IN RE: Application of Azalea Moving and Storage, Inc. to Transfer Ownership of Class E (Household Goods) Certificate of Public Convenience and Necessity No. 2170-A, Issued in Docket No. 1986-373-T, from Dale J. Cook to Richard R. Farahay and Josh F. Keiffer	)	ORDER TRANSFERRING
	)	CERTIFICATE
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This matter comes before the Public Service Commission of South Carolina ("Commission") on the Application of Azalea Moving and Storage, Inc. ("Azalea Moving") and Dale J. Cook ("the Transferor"), whereby the Transferor seeks certain relief in the nature of the approval of the transfer of the Certificate of Public Convenience and Necessity of Azalea Moving to Richard R. Farahay and Josh F. Keiffer ("the Transferees").

Subsequent to the initiation of this proceeding, the Commission Staff instructed that a Notice of Filing be published in certain newspapers of general circulation in the State of South Carolina. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate pleadings. No Protests or Petitions to Intervene were filed with the Commission.

Testifying for the Applicant at the hearing convened in this matter on March 4, 2009, were Josh F. Keiffer, Richard R. Farahay, and Dale J. Cook. Testifying for the

Office of Regulatory Staff ("ORS") was George Parker. Josh F. Keiffer and Richard R. Farahay, owners of Azalea Moving, testified as to their personal, educational, and employment histories. Mr. Farahay testified that he had extensive experience in the household moving and trucking business prior to the purchase of his interest in Azalea Moving. Mr. Keiffer testified that he was an experienced mortgage broker prior to the purchase of his interest in Azalea Moving. Both stated that they had worked and trained under owner Dale J. Cook to gain knowledge of the Transferor's business. Both witnesses testified as to their understanding for the need to abide by the rules, regulations and orders of the Commission. Mr. Dale J. Cook testified as to his observations of the fitness, willingness and abilities of the Mr. Keiffer and Mr. Farahay to assume the responsibilities of the Transferor's Certificate of Public Convenience and Necessity. George Parker, Transportation Program Manager for ORS, testified to his familiarity with the operations of the Transferor and the ORS's investigation of the application under consideration. This witness also testified that the ORS had no objection to the application for transfer.

Upon consideration of the merits of the instant Application, the testimony and the documentary evidence attached thereto, together with the testimony of the witnesses, the Commission finds that: (1) the transfer of the Certificate will not adversely affect the service to the public authorized by said Certificate; (2) the Transferees are fit, willing and able to perform such service to the public under said Certificate; and (3) service under said Certificate has been continuously offered and reasonably provided to the public up to the time of filing of the Application.

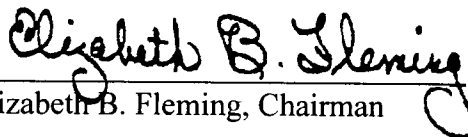
The Commission also finds and concludes that the proposed transfer of the Certificate from the Transferor to the Transferees is in the public interest, and that the relief sought in the Application for transfer should be approved.

IT IS THEREFORE ORDERED:


1. That the proposed transfer of Certificate of Public Convenience and Necessity No. 2170-A from the Transferor to the Transferees be, and hereby is, approved.
2. That the Transferees file the proper license fees and other information required by S.C. Code Ann. Section 58-23-10 et seq. (Supp. 2008) and by S.C. Code Regs. 103-100 through 103-280 (Supp. 2008) of the Commission's Rules and Regulations for Motor Carriers within sixty (60) days of the date of this Order, or within such additional time as may be authorized by the Commission.
3. That upon compliance with S.C. Code Ann. Section 58-23-10, et seq. and the applicable provisions of S.C. Code Regs. 103-100 through 103-280 of the Commission's Rules and Regulations for Motor Carriers, a certificate shall be issued to the Transferees authorizing the motor carrier services granted herein.

4. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)